

MOTION BY SUPERVISOR HOLLY J. MITCHELL

June 22, 2021

Amendment to Item #27

1. Find that it is necessary to depopulate and demolish MCJ, and likewise find that it is unnecessary to build any new County jail or custody facility;
2. Direct that the CEO, in consultation with County Counsel, the Executive Officer of the Board of Supervisors, and other Directors of Departments/entities deemed appropriate and necessary, including community stakeholders, start a Jail Closure Implementation Team (JCIT) whose specific and immediate focus is to implement the closure of MCJ, as described in directives (3) and (4), below;
3. Direct the CEO to report back in 30 days with:
 - a. A proposal for how the JCIT should be structured that includes, at a minimum, an Executive Director and a small complement of staff, and recommendations for whether consultants should be retained;
 - b. A proposal for how the JCIT will draw from the expertise—and the work to-date and currently underway including the Restorative Justice Village Master Plan, as appropriate—of relevant County departments and community and County partners that is germane to the closure of MCJ, including but not limited to the CEO, County Counsel, the Alternate Public Defender, the Public Defender, the District Attorney, the Sheriff's Department, Probation, the Superior Court, DHS (both ODR and Correctional Health Services), Public Health – Substance Abuse Prevention and Control, the Department of Mental Health, the Department of Public Works, the Internal Services Department, and any other relevant County and community partners;
4. Direct that:

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- a. The JCIT Executive Director consult with and consider the positions of County departments as necessary, but otherwise have complete authority as appropriate to coordinate and direct the activities of all relevant County departments, as permitted by and in compliance with all laws, including the California Environmental Quality Act (CEQA), to accomplish the proposed MCJ depopulation and closure measures and actions as approved by the Board, and subject to Board review and approval;
- b. The JCIT Executive Director consult with and consider the positions of Board-created workgroups and councils, as well as community stakeholders, making recommendations about the closure of MCJ—including but not limited to the MCJ Closure Workgroup, the GRAC, and the Jail Population Review Council—as necessary, but otherwise have complete authority as appropriate to coordinate and direct the activities of these Board-created workgroups and councils, as permitted by and in compliance with all laws, including CEQA, to accomplish the proposed MCJ depopulation and closure measures and actions as approved by the Board, and subject to Board review and approval;
- c. The JCIT have full authority to obtain all necessary data and information from County departments and the entities described in 4.a and 4.b., as permitted by law, to complete its work;
- d. The JCIT make the final determinations, to extent allowed by the law and not inconsistent with Government Code section 26605, subject to Board review and approval, about how the County will implement the closure of MCJ in compliance with all laws, including CEQA;
- e. All County departments and Board-created workgroups and councils working on the closure of MCJ work collaboratively and transparently with the JCIT, and timely share information with, and respond to requests from, the JCIT.

WE FURTHER MOVE that the Board of Supervisors:

5. Direct the JCIT to report to the Board in writing, within 60 days of becoming operational, with a status update including:
 - a. Its actions, goals, and associated timelines, including an initial estimate of how long the JCIT may be necessary for the closure of MCJ; and
 - b. A framework for the JCIT to communicate transparently and regularly with, and receive feedback from, community stakeholders, and to balance this task with the JCIT's primary responsibility of implementing the depopulation and closure of MCJ. This framework may include, but is not limited to, updates to other bodies created by the Board with an interest in the closure of MCJ (e.g., the Jail Population Review Council) as well as engaging in

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meaningful dialogue with additional stakeholders such as people who are, or have been, incarcerated and survivors of harm, about the JCIT's actions, goals, and associated timelines;

6. Direct the JCIT, thereafter, to report to the Board in writing with status updates every 90 days;
7. Direct the JCIT to work with the CEO—including coordinating internally with existing efforts regarding the Restorative Justice Village Master Plan, as necessary—in collaboration with County Counsel, County Departments, private and philanthropic partners, community stakeholders, and others deemed necessary, to identify legislative, budgetary, or land/property needs and recommendations, and work with CEO's Legislative Affairs and Intergovernmental Relations Branch to advocate for the recommended State and Federal funding and policy changes that may be necessary to support the closure of MCJ;
- ~~8. Delegate authority to the Chief Executive Officer, or her designee, to execute any agreements necessary to support the foregoing efforts, provided that any such agreements are in form approved by County Counsel;~~

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(YV/JM/CAS)